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Attorney for Defendant PAUL LEUNG

UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

13 UNITED STATES OF AMERICA, ) CR 07-0428 MMC  
14 )  
15 Plaintiff, ) EX PARTE JOINT APPLICATION FOR  
16 vs. ) TRAVEL ORDER, and  
17 ) [PROPOSED] ORDER  
18 CARMEN CHAN and PAUL LEUNG, )  
19 )  
20 Defendants. )

19 At the initial setting of the bond and Conditions of Pretrial Release in this matter, defendants  
20 PAUL LEUNG and CARMEN CHAN requested that they be permitted to travel internationally for  
21 business, family and pleasure as a condition of their release. Magistrate James Larson suggested that  
22 a stipulation be prepared by the parties setting forth the prospective travel dates and submitted to the  
23 court for approval. Defendants submitted the proposed travel itineraries to AUSA Denise Barton and  
24 the government objected to defendant Carman Chan's proposed travel request.

25 On August 14, 2007 by noticed motion Defendants PAUL LEUNG and CARMEN CHAN,  
26 husband and wife, sought court approval to travel to the locations listed below on the following dates:

Hong Kong from August 21, 2007 to September 4, 2007

28 Hong Kong from October 2, 2007 to October 18, 2007

1 Hong Kong from November 13, 2007 to November 30, 2007

2 Japan from December 10, 2007 to December 18, 2007

3 Hong Kong December 29, 2007 to January 21, 2008.

4 At the August 14, 2007 hearing Pretrial Services officer Betty Kim informed the court that  
 5 Pretrial Services did not oppose the defendants' request. The court was informed that each defendant  
 6 had posted \$100,000 cash deposit with the clerk of the court as a condition of their pretrial release. The  
 7 court approved defendants proposed travel schedule.

8 AUSA Denise Barton arrived late for the hearing due other court matters. The court met with  
 9 counsel for both parties in chambers where the court heard and considered the government's objections  
 10 regarding the requested travel.

11 The court then modified the initial travel order approving the first trip to Hong Kong from  
 12 August 21, 2007 to September 4, 2007 and reserving judgment on the remaining proposed trips  
 13 indicating that if the initial travel was completed without incident the court most likely would approve  
 14 subsequent travel requests of the parties.

15 Defendants PAUL LEUNG and CARMEN CHAN successfully completed their travel to Hong  
 16 Kong from August 21, 2007 to September 4, 2007 and returned without incident. They similarly  
 17 successfully completed their second trip to Hong Kong from October 2, 2007 to October 18, 2007.  
 18 Defendants also successfully completed their third trip to Hong Kong from November 15, 2007 to  
 19 December 3, 2007 and have returned their passports and Hong King identification cards to the Clerk's  
 20 office. Pretrial services has been informed of defendant's request for the instant travel order and has no  
 21 objection to the request. AUSA Barton has been served with this request and has agreed.

22 As such, the parties HEREBY STIPULATE that defendants be permitted to travel to Hong  
 23 Kong June 3, 2008 to June 12, 2008.

24 SO STIPULATED.

25 DATED: May 27, 2008

27 /s/ Denise Marie Barton  
 28 Counsel for the Government

/s/Garrick S. Lew  
 Counsel for Defendant Chan

/s/Matthew A. Siroka  
 Counsel for Defendant Leung

## 1 ORDER

2 Good cause appearing;

3 IT IS HEREBY ORDERED that defendants PAUL LEUNG and CARMEN CHAN, husband  
4 and wife, be permitted to travel to Hong Kong from June 3, 2008 to June 17, 2008.5 IT IS FURTHER ORDERED that the Clerk of the Court return the passports of PAUL  
6 LEUNG and CARMEN CHAN to each defendant prior to the departure date of June 3, 2008 and that  
7 both defendants redeposit their passports with the Clerk of the Court no later than June 17, 2008.8  
9 DATED: May 29, 200810   
11 The Honorable James Larson  
United States Magistrate Judge12  
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